

# RULING FOR LAMAR STAYS PRISON TERM

T. S. Supreme Court Grants Writ Ordering Review of the Entire Case.

## ACTION CAUSES SURPRISE

WASHINGTON, Feb. 28.—David Lamar will not have to go to prison at once under the sentence imposed by the Federal Court for the Southern District of New York and affirmed by the Supreme Court of the United States. The court today granted a writ of certiorari on its own volition, directing that the entire record in the case be brought up from the United States Circuit Court of Appeals to permit a review by the highest court.

At the same time the court denied a motion made last Monday by Solicitor-General Davis that the mandate issue at once under the decision of the court in January refusing Lamar's appeal and practically affirming his sentence to five years imprisonment for impersonating former Congressman A. Mitchell Palmer with intent to defraud.

Pending the determination of the review, Lamar will remain in custody, but will probably be at liberty on bail. The court will receive briefs and probably fix a day for argument and in the present case of the docket the case may not be reached until next fall. The Government will probably make a motion to have the case advanced and set for a hearing at this time, but it is regarded as doubtful if the court will be able to grant this motion.

**Court's Action Is Unusual.**  
The action taken by the court today was unusual in that the court denied a motion for leave to file a petition for a writ of mandamus to the Circuit Court of Appeals directing that the mandate issue at once under the decision of the court in January refusing Lamar's appeal and practically affirming his sentence to five years imprisonment for impersonating former Congressman A. Mitchell Palmer with intent to defraud.

**Flood of Speculation Among Lawyers.**  
The action of the court today was followed by a flood of speculation among lawyers as to what is the real significance back of the new turn in the Lamar case. Some attorneys believe that the question as to whether a member of Congress is a Government officer within the meaning of the Federal Statute is not yet settled. Others believe that this question was disposed of by Justice Holmes when he refused Lamar's appeal, and that the court below had been misled by the Government's contention that Lamar was a Government officer.

**History of the Case.**  
David Lamar was sentenced in this case in December, 1914, to two years in Atlanta for impersonating an officer of the United States in an attempt to defraud. It seemed that Lamar was headed for Atlanta. But the lawyers who had been handling his case called in as constitutional experts the firm of Wainwright & Kohnman of 61 Broadway, Francis Kohnman being a partner. They spent most of last week making a last fight for Lamar. Then Harlan H. Wainwright, senior member of the firm, appeared before the Supreme Court in Washington yesterday and asked the Federal Supreme Court to withhold the issuance of a mandate, which, if it had been granted, would have sent Lamar to the Atlanta penitentiary to-day.

**The Effect of the Present Decision.**  
Mr. Kohnman said yesterday, "It is not only to give Lamar his first victory in a long period of litigation, but will eventually, we hope, result in reopening the whole case to the extent of a hearing on its merits. It is a victory of the highest order, and it is a victory of the highest order."

**Lamar's Case In Advanced.**  
Washington, Feb. 28.—The Supreme Court today advanced the case involving the appeal of Ignatius T. T. Lincoln, appellant, against James M. Power, United States Marshal for Brooklyn. The case was advanced on the motion of counsel for the United States and will be heard April 4. Counsel for Lincoln resented the move.

## SOMMER HEADS LAW SCHOOL

N. Y. U. Appoints Professor as Dean in Dr. Ashby's Place.  
The New York University Council, at its meeting yesterday, appointed Francis H. Sommer, dean of the law school, as its new dean. Dr. Ashby, who had been dean of the law school, died last week. Dr. Sommer is a well-known lawyer and has been dean of the law school for many years.

# TREATY RATIFIED GIVING U. S. CONTROL OVER HAYTI

All Customs Will Be Collected by Washington's Agents—Finances Under Direction of President—To Help Keep the Peace.

WASHINGTON, Feb. 28.—Without a dissenting voice the Senate today ratified the treaty under which the United States assumes a financial protectorate over the Republic of Hayti. The protectorate is in force, having been effected last summer through an agreement entered into between the United States and the Dattiguenave Government.

In the treaty which was ratified to-day by the Senate the United States takes over the fiscal affairs of Hayti and will administer them for a period of ten years, or longer if circumstances warrant.

All the taxes of the republic are to be collected and disbursed by a Receiver-General, to be nominated by the President of the United States and appointed by the President of Hayti.

Hayti guarantees to make no increase in her public debt without the consent of the United States. To keep peace in Hayti a consular is to be organized, composed of native Haytians and officers by Americans. The treaty obligates Hayti to not surrender any of her territory to any foreign power.

The essential feature may be summarized as follows:  
The Government of the United States will by its consular offices aid the Haytian Government in the proper and efficient development of its agricultural, mineral and commercial resources and in the conservation of the finances of Hayti on a firm and solid basis.

**U. S. to Collect Customs.**  
The President of Hayti shall appoint upon nomination by the President of the United States a general receiver and such aids and employees as may be necessary, who shall collect and apply all customs duties on imports and exports accruing at the several custom houses and ports of entry of the republic.

**Must Preserve Integrity.**  
The Government of Hayti agrees not to surrender any of the territory of the Republic of Hayti by sale, lease or otherwise, or jurisdiction over such territory to any foreign power, nor to enter into any treaty or contract with any foreign power that will impair or tend to impair the independence of Hayti.

**Post Office Bill Goes Through After Fight.**  
Fifty Pounds Brings Lively Skirmish.

WASHINGTON, Feb. 28.—A parliamentary flurry followed upon the passage of the post office bill in the House today over an amendment to the post office appropriation bill, limiting the weight of parcel post packages to fifty pounds.

The limitation was attached to the bill upon motion of Representative Madden of Illinois, who said that the purpose was to keep the Government out of the freight business. The Postmaster-General now has discretion to fix the weight limit of parcel post packages with the advice of the Interstate Commerce Commission. Existing regulations of the department fix the limit at fifty pounds for the first zone and less for other zones.

**Migratory Bird Law Puzzles the Court.**  
Supreme Bench Orders a Re-argument of the Constitutional Question.

WASHINGTON, Feb. 28.—The Supreme Court today ordered a re-argument of the constitutional question involved in the Federal migratory bird law. The Federal migratory bird law has been reargued for argument. This indicates that the Supreme Court has again divided evenly on a constitutional question.

**Teachers' Appeal Heard.**  
Argument Is Made on the Transfer Rules of City Board.

ALBANY, Feb. 28.—The argument in the appeal cases of teachers, taxpayers and others in New York City from the decision of the Board of Education in adopting regulations providing for the transfer of several hundred kindergarten, drawing, musical and other special teachers to the elementary schools was heard before Judge Conklin today.

# CHICAGO WOMEN AD GRAFF EXPOSE

Mrs. Eaton's Attorney Promises to Produce Two More Witnesses.

## TO REVEAL SALARY SPLIT

CHICAGO, Feb. 28.—Fresh fuel was added today to the City Hall "split" graft scandal when Seymour Eaton, attorney for Mrs. Page Walker Eaton, declared today that he had another woman ready to testify that she split her salary for the benefit of the "higher ups" in the City Hall.

He added that he did not want to have trouble stirred up for them before they appear as witnesses, said Mr. Eaton. "Their stories will substantiate the charges. One woman has been split her salary and the other is familiar with the transactions between Mrs. Eaton and Mrs. Rowe."

Mrs. Rowe on the stand is making a complete denial of everything. The trial has been charged as to whether a defense that Mrs. Eaton had switched envelopes. For this reason Mr. Eaton's lawyer, Mr. Rowe, will produce two more witnesses, the four of five questions I had intended.

**Hunters Must Wear Tags.**  
Bill Also Permits Dogs in the State Preserve.

ALBANY, Feb. 28.—A requirement that every hunter wear on his coat a button giving the number of his license, and a provision for taking dogs into the forest preserve under a license to be issued by the Conservation Commission and a broadening of the regulations regarding the employment of the United States Game Warden in the forest preserve.

**Will Urge U. S. Defence.**  
Local Leaders Talk of Dyckman as One of Big Four.

State conventions nowadays do not furnish the tense situations and thrills of the ante-bellum days, as Mr. Barnes of Albany and Mr. Murphy of Fourteenth street have testified. There are still opportunities for intrigues and skirmishes and paying off political debts.

**Senate Clerk Won't Answer.**  
Brooklyn Republicans Seeking Data on Albany Employees.

A committee of five of the Brooklyn Young Republican Club is making diligent efforts to learn the names and salaries of Senate and Assembly employees. Edward H. Wilson, chairman of the committee, got from Fred W. Hanson, clerk of the Senate, the fact that the Assembly employees, doorknockers, janitors, stenographers and clerks, but Edward A. Fay, clerk of the Senate, ignored the request for information.

**Bay State Pupils See Wilson.**  
Vanguard of Annual Pilgrims at the White House.

WASHINGTON, Feb. 28.—The vanguard of the annual influx of school children visitors to Washington appeared at the White House today. The youngsters came from Springfield, Mass., and their excursion reached a climax this morning when they were permitted to shake hands with President Wilson.

**Chicago Goes to Polls to-day.**  
Aldermanic Fight Ends With Mayor's Attack on Deen.

CHICAGO, Feb. 28.—Chicago's hottest fight of the Aldermanic campaign closed to-night with verbal exchange that eclipsed the Mayor's contest of a year ago. Mayor Thompson's administration was on trial. His political foes charged that he is attempting to dominate the Council.

**Spanish Army Board Coming Here.**  
Paris, Feb. 28.—Despatches from Madrid state that arrangements have been completed for the sailing of a Spanish mission to the United States. The mission was appointed to accept from manufacturers delivery of war material purchased in the United States.

# DEMOCRATS FOR OSBORN, O'GORMAN, MEYER IN BIG 4

Fight on Undermyer as Fourth Delegate at Large Expected at Syracuse Convention To-morrow—"Wilson and Peace" Slogan Awaits Leaders.

SYRACUSE, Feb. 28.—The Regent Moving Picture Theatre, which has been doing capacity business in the sensational film production of "Uncle Tom's Cabin," gives way on Wednesday to new scenes and political actors in real life, to present Woodrow Wilson's peace pact with the New York State Democratic organization, in two acts, matinee and night.

Democratic State Committeeman William H. Kelley of Syracuse was busy all day getting the scenic effects of the Regent in shape for the opening of the Democratic National Convention at Syracuse on Wednesday. The theatre will accommodate about 2,000 persons. But Mr. Kelley admitted to-night that as many more will be permitted to crowd in, especially at the night meeting when former Governor Martin H. Glynn, who will be both temporary and permanent chairman, will repeat the famous "Wilson and Peace" slogan.

The refusal of the Republican leaders to send William Berri, editor of the Brooklyn Standard Union, as a delegate to the Democratic National Convention at Syracuse, has created a lot of ill feeling in Kings county against the Republican organization, and the Democrats are now figuring that it would be a fine political stroke to put a Brooklyn man in the Big Four. The name of former Chief Judge Edgar M. Cullen of the Court of Appeals was definitely declined, so was understood yesterday, to accept a designation.

**Platform to Be Brief.**  
Deputy Herrick, who was candidate for Governor against the late Frank Higgins in 1904, will be chairman of the committee on resolutions in case his court engagements enable him to take part in the Syracuse convention. The platform will be reasonably brief, and State Chairman Osborn said last night, and is not expected to require more than 1,500 words in setting forth cardinal Democratic principles and a few new policies.

It will ignore State issues, just as the Republican platform avoided mention of State problems and it will contain no preparedness pronouncement, following the desire of President Wilson very closely. In the past few weeks State Chairman Osborn has conferred with about twenty representative Democrats at the Downtown Club and elsewhere as to the shape of the platform, and the ideas of all have received consideration.

**No Discard, Is Foreseen.**  
According to advance reports there will not be a ripple of discord. President Wilson's friends have advised that the Democratic National Convention will be a success and do its business in its own way. No persons with authority from the President will be present at the making of the committee is well known in Washington, and the President's friends have advised him against handling it.

**Cassidy in Public Again.**  
Ex-Hon. of Queens Guest of Sunnyside Club, Long Island City.

The former Democratic boss of Queens, Joe Cassidy, who has just been released from State prison, where he served a year for selling a nomination for Supreme Court Justice, made his first public appearance at Long Island City last Saturday night when he was a guest at a breakfast party of the Sunnyside Club. Incidentally he gave a short address to the group, who were gathered there about 7 o'clock.

**Will Urge U. S. Defence.**  
Local Leaders Talk of Dyckman as One of Big Four.

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**More Men Are Drinking Milk.**  
The manager of one of our popular restaurants remarked the other day that the number of business men who order milk at lunch times has increased enormously. Many of the devotees of coffee and tea are turning to milk regularly, and when you think of it, it's the most natural thing in the world. Nature made milk, a delight both in taste and aroma; and more than this, it is the most nearly perfect food that nature has given us. But it must be good milk.

**Breathe and Be Well.**  
A FEW minutes a day given up to proper breathing exercises will lead to a more healthy and mentally alert.

**Borden's Milk.**  
is good milk. clean milk. safe milk.

**Borden's Milk.**  
Any Borden wagon will serve you. When buying milk or milk products be sure they are Borden's.

# THOMPSON TO HAVE FOUR MONTHS MORE

Continued from First Page.

lines. Mr. Gillespie went to Palm Beach a few weeks ago to recover from the effects of an accident last fall. Allyn Undermyer is reported to be in California. The committee would like him to tell him to send an urgent message to Louis Marshall in the Adirondacks asking him to return to New York to take charge of the suit of the Adirondack Realty Company.

George W. Young, former director of the Interborough, and author of the famous memorandum in which he quoted Chairman Whitney, saying that President Shonts had made certain commitments and entered into certain obligations in connection with the dual system control, telegraphed that he would return for the hearings of the committee this week.

Alfred Craven, chief engineer of the Public Service Commission, went to Pinehurst, N. C., a short time ago for his health. Lefroy T. Harkness, assistant counsel to the commission, said yesterday that he had telegraphed Mr. Craven to return and he expected him to do so immediately.

Richard Reid Rogers, chief counsel for the Interborough, was expected to be away on business. Mr. Rogers will be asked about his bureau and about many other things that witnesses have said he had told them. He has been asked to make the stand at any time the committee wanted him.

**SEeks Full Reports.**  
Thompson Subpoena R. T. and Interborough for Facts.

Taking it for granted that the Legislature would prolong the life of the Thompson committee, the sub-committee which has in charge the examination of the books of companies now under investigation issued subpoenas yesterday that are calculated to keep a large number of employees of the Interborough and Brooklyn Rapid Transit companies at the city hall for a long time. The subpoenas issued yesterday direct the companies to furnish to Perley Morse & Co., expert accountants, general balance sheets and statements of income and profit and loss from 1909 to date, such information to be compiled in detail according to the uniform system of accounting prescribed by the Interstate Commerce Commission. As for the Interborough the committee wants all details as to the formation of the company, what securities were issued, to whom and for what.

The committee desires in detailed form the accounts to which were charged the difference between the par value of the Interborough stock and the actual price at which it was sold. It is assumed that it is the purpose of the committee to make comparisons of the system of charges before the Interborough with the system of charges adopted after the city had obligated itself to pay a certain portion of the expense of constructing the new system.

The sub-committee has received Paul Cravath yesterday, who came to say that his client, T. H. Gillespie, had been well advised when he refused to hand over the books of the company. Mr. Cravath said that the committee's subpoenas relating to the transfer of funds from the New York to the Pittsburgh office of the company.

He said Mr. Gillespie was ready to answer any questions and to produce specific papers if they were asked for, but that he would not turn over the books of the company to the committee. Mr. Cravath said that the committee's subpoenas were a charge of contempt, in that they were issued without a proper resolution of the Legislature, and no method has been devised for halting a witness before a sort of double bar of the two houses.

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